

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

HIPOLITO ORTIZ DE LEON

DEBTOR(S)

CASE NO. 22-00866-ESL

CHAPTER 13

**\*\*AMENDED DOCUMENT\*\***

**TRUSTEE'S REPORT ON CONFIRMATION**

1. The applicable commitment period (years) is: 5
2. The liquidation value of the estate is :\$ 0.00
3. The general unsecured pool is :\$ 410,837.40

PLAN DATE: April 04, 2022

PLAN BASE: \$132,000.00

TRUSTEE'S REPORT ON CONFIRMATION DATED: 5/23/2022

☐

FAVORABLE

☒

UNFAVORABLE

**1. [X] FEASIBILITY 11 USC § 1325(a)(6):**

Debtor expenses does not reflect any provision to pay taxes during the life of the payment plan. Since debtor accumulate debt all years, as informed by Treasury, a reserve should be made to paid taxes annually.

**2. [X] INSUFFICIENTLY FUNDED § 1325(b):**

Considering the state tax returns for years 2018-2021 the debtor has a priority debt of \$67,762.00. Trustee hereby notes that considering the mentioned priority debt the proposed plan is insufficient to pay 100% to non-priority unsecured creditors. Trustee also informs that the Department of Treasury has not file a proof of claim yet.

**[X] OTHER:**

1) Debtor is asked to provide maturity date of the auto loan of \$840.00 disclosed in Schedule "J". Does this payment is related to the 2019 Dodge Ram Crew you hold or control but is under a third party name, debtor's spouse. 2) Schedule "J" disclose a home maintenance expense of \$600.00 and a homeowner association expense of \$250.00, however, Schedule A/B does not disclose a real property, also, Schedule "J" does not disclose a rent expense. Real property belongs to debtor's wife who purchased the real property after the Capituciones Matrimoniales were signed by debtor and his wife. 3) First entry of part 5.1 of the plan does not disclose the unsecured pool of \$410,837.40. 4) Provide evidence that the Capituciones Matrimoniales were registered in the Registro of Capituciones Matrimoniales. 5) Pending adjudication of First Bank objection to confirmation (Dkt. 9).

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies are available to parties in interest at the Trustee's Office.

/s/ Elvis Cortes

Elvis Cortes

Atty: ROBERTO ARISTIDES

USDC #305214

**ALEJANDRO OLIVERAS RIVERA**

Chapter 13 Trustee

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CMC - WG